

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FREEDOM FROM RELIGION FOUNDATION,  
INC., a Wisconsin non-profit corporation, and  
DOUGLAS J. MARSHALL, a Michigan individual,

Plaintiffs,

Case No: 2:11-cv-15617  
Honorable Lawrence P. Zatkoff  
Referral Judge: R. Steven Whalen  
Filed 12/22/11

v  
CITY OF WARREN, MICHIGAN, CITY OF WARREN  
DOWNTOWN DEVELOPMENT AUTHORITY  
and JAMES R. FOUTS, Mayor of Warren, Michigan,

Defendants.

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BUTZEL LONG, PC	KIRK, HUTH, LANGE & BADALAMENTI, PLC
By: ROBIN LUCE-HERMANN (P46880)	By: ROBERT S. HUTH, JR. (P42531)
DANIELLE J. HESSELL (P68667)	RAECHEL M. BADALAMENTI (P64361)
JENNIFER DUKARSKI (P74257)	OLIVIA N. KEUTEN (P69883)
Attorneys for Plaintiffs	Attorneys for Defendants
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**STIPULATION AND ORDER RE: PRE-SCHEDULED  
DATE FOR CITY HALL CHRISTMAS DISPLAY REMOVAL**

Defendants the City of Warren, the City of Warren Downtown Development Authority and/or Mayor James R. Fouts (collectively “Defendants”) do hereby represent, at the request of the Plaintiffs, that the entire Christmas Display presently in the atrium of the City of Warren Municipal Building is and has always been scheduled to be taken down on Tuesday, January 3, 2012.

For purposes of this Order, the term “Christmas Display” includes all elves, Christmas trees and wreathes adorned with lights, ribbons and ornaments, a “Merry Christmas” sign, nutcrackers, poinsettias, wrapped ‘present’ boxes, candy canes and the Santa-mailbox. The term

“Christmas Display” does not include any snowflakes, snowmen or “Winter Welcome” type signs.

PURSUANT TO THE FOREGOING, IT IS HEREBY STIPULATED AND AGREED upon by all parties pertinent hereto that the Defendants shall maintain this pre-scheduled date to take down the entire Christmas Display presently in the atrium of the City of Warren Municipal Building.

s/Danielle J. Hessell  
DANIELLE J. HESSELL (P68667)  
Attorney for Plaintiffs

s/Raechele M. Badalamenti  
RAECHEL M. BADALAMENTI (P64361)  
Attorneys for Defendants

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**STIPULATED ORDER**

At a session of said Court held in the City of Port Huron,  
St. Clair County, MI this 4<sup>th</sup> day of January, 2012

PURSUANT TO A STIPULATION BETWEEN THE PARTIES;

IT IS HEREBY ORDERED that the Defendants shall maintain the pre-scheduled date of January 3, 2012, to take down the entire Christmas Display presently in the atrium of the City of Warren Municipal Building.

s/Lawrence P. Zatkoff  
U.S. DISTRICT COURT JUDGE

Dated: January 4, 2012